

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION
SEPTEMBER 2023 SESSION

UNITED STATES OF AMERICA)	Criminal No. 4:23 CR 13
)	
v.)	<u>INDICTMENT</u>
)	
CALVIN FRANKLIN HUGHES, JR.)	<u>In Violation of:</u>
ARSHAY TREVANTE HALEY)	
)	18 U.S.C. § 1951(a)
)	18 U.S.C. § 924(c)
)	18 U.S.C. § 922(g)(1)

COUNT ONE

The Grand Jury charges that:

1. On or about February 15, 2023, in the Western District of Virginia, the defendants, CALVIN FRANKLIN HUGHES, JR. and ARSHAY TREVANTE HALEY, did unlawfully obstruct, delay, and affect commerce as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by robbery, as that term is defined by Title 18, United States Code, Section 1951(b)(1), in that the defendants did unlawfully take and obtain United States currency from the possession and custody of an employee of the Sunrise store located at 533 Memorial Drive, Danville, Virginia, against his will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to his person and property in his custody and possession, and did aid and abet the same.

2. At all times material to this Indictment, Sunrise, located at 533 Memorial Drive, Danville, Virginia, was engaged in the “fuel and convenience store” business, an industry which affects interstate and foreign commerce.

3. All in violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT TWO

The Grand Jury further charges that:

1. On or about February 15, 2023, in the Western District of Virginia, the defendant, CALVIN FRANKLIN HUGHES, JR., did knowingly use, carry, brandish, and discharge a firearm during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, robbery in violation of Title 18, United States Code, Section 1951, as set forth in Count One of this Indictment.

2. All in violation of Title 18, United States Code, Sections 924(c)(1)(A), 924(c)(1)(A)(i), 924(c)(1)(A)(ii), and 924(c)(1)(A)(iii).

COUNT THREE

The Grand Jury further charges that:

1. On or about February 15, 2023, in the Western District of Virginia, the defendant, CALVIN FRANKLIN HUGHES, JR., knowing that he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm, to wit, a Kel-Tec 9mm pistol. Said firearm had previously been shipped and transported in interstate or foreign commerce.

2. All in violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF FORFEITURE

1. Upon conviction of the felony offense alleged in this Indictment, the defendant shall forfeit to the United States:

- a. any firearms and ammunition involved or used in the commission of said offenses, or possessed in violation thereof, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).
2. The property to be forfeited to the United States includes but is not limited to the

following property:

a. **Firearm**

- 1) A Kel-Tec 9mm pistol, PF9, serial #RXT23
- 2) All ammunition, magazines, and accessories associated with this firearm

3. If any of the above-described forfeitable property, as a result of any act or omission

of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of the above-described forfeitable property, pursuant to 21 U.S.C. § 853(p).

A TRUE BILL this 21st day of September, 2023.



CHRISTOHER R. KAVANAUGH
UNITED STATES ATTORNEY

/s/ Grand Jury Foreperson
FOREPERSON